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10/686,661	10/17/2003	Philippe Wieczorek	500200184-2	8273

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EXAMINER	
LY, NGHI H	
ART UNIT	PAPER NUMBER
2617	

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/686,661	WIECZOREK ET AL.	
	Examiner	Art Unit	
	Nghi H. Ly	2617	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *03 April 2007*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-29* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-29* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

2. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

3. Claims 1-6, 10, 11 and 20-29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sennett (US 6,400,940) in view of Ehsani et al (US 2002/0032564A1).

Regarding claims 1 and 21, Sennett teaches a communication system comprising a communication device and a communication terminal (see a communication system in fig.1, see wireless communications between mobile communication devices 13 and base stations 12), the communication terminal having access to a database to query data relating the communication device (see column 3,

lines 43-57, see "*database 17*"), the data comprising invocation instructions for invoking at least one function of the communication device (see column 2, lines 22-33, see "*How do I store...*", "*How do I retrieve...*" and "*How do I read...*"), the communication terminal comprising means to cause output (see column 2, lines 34-48, see "*providing automated information to a subscriber*"), at the communication device (also see column 2, lines 34-48, see "*providing automated information to a subscriber*"), of data representing operator instructions (also see column 2, lines 22-33, see "*How do I store...*", "*How do I retrieve...*" and "*How do I read...*" and see column 2, lines 34-48, see "*providing automated information to a subscriber*"), associated with the invocation instructions (also see column 2, lines 22-33, see "*How do I store...*", "*How do I retrieve...*" and "*How do I read...*" and see column 2, lines 34-48, see "*providing automated information to a subscriber*"), comprising prescribed user input actions to be performed to invoke the at least one function of the communication device (also see column 2, lines 22-33, see "*How do I store...*", "*How do I retrieve...*" and "*How do I read...*" and column 2 line 63 to column 3, line 57, see "*by pressing a predetermined key or sequence keys on keypad, such as help*").

Sennett does not specifically disclose means to compare, or to enable comparison of, data representing actual user input actions, performed following output of the data representing the operator instructions, with the invocation instruction data to determine if the at least one function of the communication device has been invoked.

Ehsani teaches means to compare (see [0251], see "match"), or to enable comparison of (see [0251], see "match"), data representing actual user input actions

(see [0251], see "user input"), performed following output of the data representing the operator instructions (see [0251], see "instruction"), with the invocation instruction data to determine if the at least one function of the communication device has been invoked (see [0251], see "instruction").

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the teaching of Ehsani into the system of Sennett in order to enable creation of grammar networks that can regulat, control, and efine the content and scope of human-machine interaction in natural language voice user interfaces (see Ehsani, Abstract).

Regarding claim 2, Sennett further teaches in which the means to compare (see column 4, lines 33-46, see "*allowed to request*" and "*compare*"), or to enable comparison of (see column 4, lines 33-46, see "*allowed to request*" and "*compare*"), data representing actual user input actions with data representing the invocation instructions comprises means to transmit a message comprising data representing the actual user input actions from the communication device to the communication terminal (see column 2 line 63 to column 3, line 57, see "*by pressing a predetermined key or sequence keys on keypad, such as help*"), means to receive the message comprising the data representing the actual user input actions (see column 2 line 63 to column 3, line 57, see "*by pressing a predetermined key or sequence keys on keypad, such as help*").

Regarding claim 3, Sennett further teaches operating the communication device in at least one of first and second operational modes (see column 4, lines 3-15, see

"*DTMF from the keypad... or by speaking vice command*"), the first operational mode being arranged to support voice and data exchanges with the communication terminal and the second operational mode being arranged to support user invocation of a user interface for managing or configuring the operation of the communication device (see column 4, lines 3-15, see "*DTMF from the keypad... or by speaking vice command*" and they reads on applicant "*first mode and second mode*").

Regarding claim 4, Sennett further teaches operating the communication device in both the first and second modes of operation substantially simultaneously (see column 4, lines 3-15, see "*DTMF from the keypad... or by speaking vice command*" and they reads on applicant "*first mode and second mode*").

Regarding claim 5, Sennett further teaches the communication device is a wireless communication device (fig.1, see mobile communication device 13).

Regarding claim 6, Sennett teaches the wireless communication device is a mobile telephone (fig.1, see mobile communication device 13 and see column 3, lines 34-35, see "*such as cellular phone*").

Regarding claim 10, Sennett further teaches the communication terminal comprises means to transmit a message to the communication device (see column 2, lines 23-33 and column 4, lines 15-32, see "*messages*"), the message comprising data representing instructions to the communication device to assume a predetermined state (see column 1, lines 35-53, column 2, lines 23-33 and column 4, lines 15-32).

Regarding claim 11, Sennett further teaches the communication device comprises means to transmit a message to the communication terminal (see column 2,

lines 23-33 and column 4, lines 15-32, see "*messages*"), the message comprising data indicating that the communication device is in a prescribed operational state (see column 2, lines 23-33 and column 4, lines 15-32, see "*messages*").

Regarding claim 21, Sennett further teaches operating the communication device in at least one of first and second operational modes (see column 4, lines 3-15, see "*DTMF from the keypad... or by speaking vice command*"), the first operational mode being arranged to support voice and data exchanges with the communication terminal and the second operational mode being arranged to support user invocation of a user interface for managing or configuring the operation of the communication device (see column 4, lines 3-15, see "*DTMF from the keypad... or by speaking vice command*" and they reds on applicant "*first mode and second mode*").

Regarding claim 22, Sennett further teaches operating the communication device in both the first and second modes of operation substantially simultaneously (see column 4, lines 3-15, see "*DTMF from the keypad... or by speaking vice command*" and they reds on applicant "*first mode and second mode*").

Regarding claim 23, Sennett further teaches the communication device is a wireless communication device (fig.1, see mobile communication device 13).

Regarding claim 24, Sennett further teaches the wireless communication device is a mobile telephone (fig.1, see mobile communication device 13 and see column 3, lines 34-35, see "*such as cellular phone*").

Regarding claim 25, Sennett further teaches synchronising the operational state of the communication device and the operational state of the image of the

communication device (see column 4, lines 3-15, see "*DTMF from the keypad... or by speaking vice command*" and they reds on applicant "*first mode and second mode*").

Regarding claim 26, Sennett further teaches the communication terminal comprises means to transmit a message to the communication device (see column 2, lines 23-33 and column 4, lines 15-32, see "*messages*"), the message comprising data representing instructions to the communication device to assume a predetermined state (see column 1, lines 35-53, column 2, lines 23-33 and column 4, lines 15-32).

Regarding claim 27, Sennett further teaches the communication device comprises means to transmit a message to the communication terminal (see column 2, lines 23-33 and column 4, lines 15-32, see "*messages*"), the message comprising data indicating that the communication device is in a prescribed operational state (see column 2, lines 23-33 and column 4, lines 15-32, see "*messages*").

Regarding claim 28, Sennett further teaches a computer program element for implementing a communication system, communication terminal or communication device (see column 3, lines 33-42, see "*programmed*").

Regarding claim 29, Sennett further teaches a computer program product comprising computer readable storage means storing a computer program element (see column 3, lines 33-42, see "*programmed*" and fig.1, see database 17).

4. Claims 7-9 and 12-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sennett (US 6,400,940) in view of Ehsani et al (US 2002/0032564A1) and further in view of Hanry, Jr. (US 6,208,877).

Regarding claim 7, Sennett and Ehsani teaches claim 1. The combination of Sennett and Ehsani does not specifically disclose the data relating to the communication device comprises image data and the communication terminal comprises a display to display an image of the communication device using the image data.

Henry teaches the data relating to the communication device comprises image data and the communication terminal comprises a display to display an image of the communication device using the image data (see Title, Abstract and column 2, lines 25-30).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the teaching of Henry into the system of Sennett and Ehsani in order to provide radiotelephones with improved security for sensitive information (see Henry, column 1, lines 52-57).

Regarding claim 8, Sennett and Ehsani teaches the data relating to the communication device comprises menu data representing menus and functions of the communication device that can be traversed and invoked (see Sennett, column 2, lines 23-33 and column 4, lines 2-8, see "*menu*"), the at least one function being one of the functions (see Sennett, column 1, lines 35-53, column 2, lines 23-33 and column 4, lines 15-32).

The combination of Sennett and Ehsani does not specifically disclose the communication terminal comprising means to display and manipulate the menus and functions (see Title, Abstract and column 2, lines 25-30).

Henry teaches the communication terminal comprising means to display and manipulate the menus and functions (see Title, Abstract and column 2, lines 25-30).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the teaching of Henry into the system of Sennett and Ehsani in order to provide radiotelephones with improved security for sensitive information (see Henry, column 1, lines 52-57).

Regarding claim 9, Sennett further teaches synchronising the operational state of the communication device and the operational state of the image of the communication device (see column 4, lines 3-15, see "*DTMF from the keypad... or by speaking vice command*" and they reds on applicant "*first mode and second mode*").

Regarding claims 12 and 14, Sennett further teaches a method of communication between a communication device and a communication terminal (see a communication system in fig.1, see wireless communications between mobile communication devices 13 and base stations 12), the communication device comprising a communication operational mode to support voice and data communication with the communication terminal (see column 4, lines 3-15, see "*DTMF from the keypad... or by speaking vice command*" and they reads on applicant "*first mode and second mode*", and see column 2, lines 23-33 and column 4, lines 15-32, see "*messages*") and an instructional operational mode to support user invocation of at least a user interface for configuring the communication device (also see column 2, lines 22-33, see "*How do I store...*", "*How do I retrieve...*" and "*How do I read...*"), the communication terminal comprising a database interface to provide access to a communication device database comprising

data relating the operation of the communication device (see fig.1 and column 3, lines 43- 57, see "database 17"), the method comprising the steps of contacting (see a communication system in fig.1, see wireless communications between mobile communication devices 13 and base stations 12), using the communication device (see a communication system in fig.1, see wireless communications between mobile communication devices 13 and base stations 12), a user of the communication terminal to obtain assistance relating to the communication device (also see column 2, lines 22-33, see "*How do I store...*", "*How do I retrieve...*" and "*How do I read...*" and see column 2, lines 34-48, see "*providing automated information to a subscriber*"), identifying the communication device and retrieving the data relating to the communication device from the database (column 3, lines 43- 57), placing the communication device in the instructional operational mode (also see column 2, lines 22-33, see "*How do I store...*", "*How do I retrieve...*" and "*How do I read...*" and see column 2, lines 34-48, see "*providing automated information to a subscriber*"), receiving (also see column 2, lines 22-33, see "*How do I store...*", "*How do I retrieve...*" and "*How do I read...*" and see column 2, lines 34-48, see "*providing automated information to a subscriber*"), at the communication device (also see column 2, lines 22-33, see "*How do I store...*", "*How do I retrieve...*" and "*How do I read...*" and see column 2, lines 34-48, see "*providing automated information to a subscriber*"), instructions from the user of the communication terminal relating to the operation of the communication device (also see column 2, lines 22-33, see "*How do I store...*", "*How do I retrieve...*" and "*How do I read...*" and see column 2, lines 34-48, see "*providing automated information to a*

subscriber"), receiving user input actions in response to receipt of the instructions and transmitting data representing those input actions to the communication terminal using the data communication (see column 2, lines 22-48 and column 2 line 63 to column 3, line 57), receiving (also see column 2, lines 22-33, see "*How do I store...*", "*How do I retrieve...*" and "*How do I read...*" and see column 2, lines 34-48, see "*providing automated information to a subscriber*"), at the communication terminal (see column 2, lines 34-48, see "*providing automated information to a subscriber*"), the data representing the user input actions.

Sennett does not specifically disclose comparing the user input actions with the data relating to the communication device retrieved from the database to determine whether the user input actions correspond to the instructions, determining that data representing the user input actions corresponds to data relating to the communication device.

Ehsani teaches comparing the user input actions with the data relating to the communication device retrieved from the database to determine whether the user input actions correspond to the instructions (see [0251], see "user input"), determining that data representing the user input actions corresponds to data relating to the communication device (see [0251], see "user input").

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the teaching of Ehsani into the system of Sennett in order to enable creation of grammar networks that can regulat, control, and

efine the content and scope of human-machine interaction in natural language voice user interfaces (see Ehsani, Abstract).

The combination of Sennett and Ehsani does not specifically disclose terminating the communication between the communication device and the communication terminal.

Henry teaches terminating the communication between the communication device and the communication terminal (see column 5, lines 2-5).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the teaching of Henry into the system of Sennett and Ehsani in order to provide radiotelephones with improved security for sensitive information (see Henry, column 5, lines 2-5).

Regarding claim 13, Sennett further teaches the step of placing comprises the step of entering a prescribed key sequence (see column 2, line 63 to column 3, line 12, see "*sequence keys*").

Regarding claim 15, the combination of Sennett and Ehsani teaches the data relating to the communication device comprises menu data representing menus and functions of the communication device that can be traversed and invoked (see column 2, lines 23-33 and column 4, lines 2-8, see "*menu*"), the at least one function being one of the functions (see column 1, lines 35-53, column 2, lines 23-33 and column 4, lines 15-32).

The combination of Sennett and Ehsani does not specifically disclose the communication terminal comprising means to display and manipulate the menus and functions (see Title, Abstract and column 2, lines 25-30).

Henry teaches the communication terminal comprising means to display and manipulate the menus and functions (see Title, Abstract and column 2, lines 25-30).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the teaching of Henry into the system of Sennett and Ehsani in order to provide radiotelephones with improved security for sensitive information (see Henry, column 1, lines 52-57).

Regarding claim 16, Sennett further teaches displaying the image data and the menu data in a predetermined state (see column 1, lines 35-53, column 2, lines 23-33 and column 4, lines 15-32).

Regarding claim 17, Sennett further teaches synchronising the operational state of the communication device and the operational state of the image of the communication device (see column 4, lines 3-15, see "*DTMF from the keypad... or by speaking vice command*" and they reds on applicant "*first mode and second mode*").

Regarding claim 18, Sennett further teaches the communication terminal comprises means to transmit a message to the communication device (see column 2, lines 23-33 and column 4, lines 15-32, see "*messages*"), the message comprising data representing instructions to the communication device to assume a predetermined state (see column 1, lines 35-53, column 2, lines 23-33 and column 4, lines 15-32).

Regarding claim 19, Sennett further teaches the communication device comprises means to transmit a message to the communication terminal (see column 2, lines 23-33 and column 4, lines 15-32, see "*messages*"), the message comprising data indicating that the communication device is in a prescribed operational state (see column 2, lines 23-33 and column 4, lines 15-32, see "*messages*").

Response to Arguments

5. Applicant's arguments with respect to claims 1-29 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nghi H. Ly whose telephone number is (571) 272-7911. The examiner can normally be reached on 8:30 am-5:30 pm Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Charles Appiah can be reached on (571) 272-7904. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Nghi H. Ly